

FORM PTO-1390
(REV. 5-93)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER
10191/2352

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/089667

INTERNATIONAL APPLICATION NO.
PCT/DE01/02449

INTERNATIONAL FILING DATE
03 July 2001
(03.07.01)

PRIORITY DATE CLAIMED:
05 August 2000
(05.08.00)

TITLE OF INVENTION
METHOD AND DEVICE FOR CONTROLLING AN ENGINE

APPLICANT(S) FOR DO/EO/US
Horst WAGNER and Peter SCHUBERT

Applicants herewith submit to the United States Designated/Elected Office (DO/EO/US) the following items and other information.

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) immediately rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (unsigned)
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
14. ☒ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information: International Search Report (translated) and PCT/RO/101.

EXPRESS MAIL NO.: EL244511330

U.S. APPLICATION NO. (If known) See 37 C.F.R. 1.5 **10/089667**

INTERNATIONAL APPLICATION NO. **PCT/DE01/02449**

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17. ☒ The following fees are submitted:

Basic National Fee (37 CFR 1.492(a)(1)-(5)):

Search Report has been prepared by the EUROPEAN PATENT OFFICE or JPO

\$890.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) \$710.00

No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$740.00

Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$1,040.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) \$100.00

CALCULATIONS | PTO USE ONLY

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$ 890

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$

Claims	Number Filed	Number Extra	Rate		
Total Claims	7 - 20 =	0	X \$18.00	\$ 0	
Independent Claims	2 - 3 =	0	X \$84.00	\$ 0	
Multiple dependent claim(s) (if applicable)			+ \$280.00	\$	

TOTAL OF ABOVE CALCULATIONS =

\$ 890

Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).

\$

SUBTOTAL =

\$ 890

Processing fee of \$130.00 for furnishing the English translation later the ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(f)).

\$

TOTAL NATIONAL FEE =

\$ 890

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property

\$

TOTAL FEES ENCLOSED =

\$ 890

Amount to be:
refunded

\$

charged

\$

a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 11-0600 in the amount of **\$890.00** to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 11-0600. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:
Kenyon & Kenyon
One Broadway
New York, New York 10004

Customer No. 26646

SIGNATURE

Richard L. Mayer, Reg. No. 22,490

NAME

DATE